

PCT COOPERATION TREATY

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NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 15 May 2001 (15.05.01)	
International application No. PCT/US00/05987	Applicant's or agent's file reference 7472/JB
International filing date (day/month/year) 08 March 2000 (08.03.00)	Priority date (day/month/year) 09 March 1999 (09.03.99)
Applicant MORT, Paul, R., III et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
 07 September 2000 (07.09.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Maria Kirchner Telephone No.: (41-22) 338.83.38
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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference 7472/JB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/05987	International filing date (day/month/year) 08/03/2000	Priority date (day/month/year) 09/03/1999
International Patent Classification (IPC) or national classification and IPC C11D17/00		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
 - ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 07/09/2000	Date of completion of this report 26.03.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Irwin, L Telephone No. +49 89 2399 2527 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/05987

I. Basis of the report

1. This report has been drawn on the basis of *(substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-16 as originally filed

Claims, No.:

1-14 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

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(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims
	No:	Claims 1 - 14
Inventive step (IS)	Yes:	Claims
	No:	Claims 1 - 14
Industrial applicability (IA)	Yes:	Claims 1 - 14
	No:	Claims

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

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Re It m V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The following documents (D) are referred to in this communication, and the numbering will be adhered to in the rest of the procedure:

- D1: EP 0 651 053 A (PROCTER & GAMBLE) 3 May 1995 (1995-05-03)
- D2: FR 2 233 393 A (SOLVAY) 10 January 1975 (1975-01-10)
- D3: WO 94 24260 A (AKZO NOBEL) 27 October 1994 (1994-10-27)
- D4: US 5 478 488 A (DOETSCH WERNER ET AL) 26 December 1995 (1995-12-26)
- D5: DE 196 51 446 A (HENKEL KGAA) 18 June 1998 (1998-06-18)
- D6: EP 0 353 976 A (PATERSON ZOCHONIS UK LTD) 7 February 1990 (1990-02-07)
- D7: EP 0 057 611 A (UNILEVER) 11 August 1982 (1982-08-11)
- D8: US 5 576 285 A (FRANCE PAUL A ET AL) 19 November 1996 (1996-11-19)

Novelty:

The subject matter of the independent claim 1 is not novel since these features have been previously disclosed in the above cited prior art, see in particular: D1, description, page 3, (lines 10 - 31) and page 8 (lines 7+); D2, claim 1; and D3, claims 1 and 2. It has been assumed by the examiner that the coating layer reduces the surface area of the particles by at least 10%.

The subject matter of the dependent claims 2 - 5 has also been previously disclosed in the above cited prior art. Please see the references cited above and also D2, description, page 2 (lines 3 - 6) and Tableau 1. Also see D3, description, page 7 (lines 16 - 24) and page 8 (lines 13 - 29).

The dependent claims 6 - 11 that concern the use of adjunct ingredients are likewise not novel since these features have also been disclosed in combination with the coated detergent particles in the prior art. Please see D3, description, page 9 (lines 19 - 30) and page 10 (lines 1 - 6).

The claims 12 and 13 are not novel for the same reasons as given for claim 1 above.

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The independent claim 14 is not novel since detergent compositions comprising the detergent particles disclosed in claim 1 have also been disclosed in the above cited prior art.

Therefore the claims 1 - 14 are considered to be not novel. Art. 33(2) PCT.

Inventive Step:

Should the applicant file new claims it is requested that he also discusses the presence of an inventive step.

Re Item VII

Certain defects in the international application

The phrase "... herein incorporated by reference" as used for example in the description on page 6 (line 12), and thereafter throughout the description is an expression not to be used since it renders the extent of the protection unclear (Guidelines, PCT/GL/3 III, 4.3a).

Re Item VIII

Certain observations on the international application

The defining parameter used in claims 12 and 13: 'wherein the particle coating layer provides a surface area reduction of at least 20% or 30%' is not a parameter commonly used in the art thus rendering these claims somewhat unclear.